

# **EXHIBIT E**

SCHEINMAN ARBITRATION AND MEDIATION SERVICES

----- X

In the Matter of the Arbitration X

between X

NEW YORK CITY DEPARTMENT OF EDUCATION Re: Religious  
Exemption

-and- X

UNITED FEDERATION OF TEACHERS,  
LOCAL 2 AFT, AFL-CIO X

-and- X

ZABDIEL VALERA, UFT 1763 X

----- X

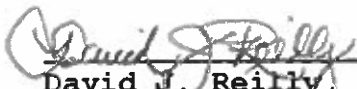
Issue: Appeal of Denial of Religious Exemption to  
COVID-19 Vaccine Mandate

Date of Hearing: September 30, 2021

Award

APPLICATION FOR EXEMPTION: GRANTED [ ] DENIED [X] OTHER [ ]

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David J. Reilly, Esq.  
Arbitrator

Date: October 4, 2021

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Re: Religious  
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David J. Reilly, Esq.  
Arbitrator

Date: October 4, 2021

## The Scheinman Institute on Conflict Resolution

# Mr. David John Reilly, Esq.

Scheinman Institute / Roster of Neutrals / Mr. David John Reilly, Esq.

Arbitrator - Mediator  
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### Professional Work History:

David J. Reilly, Esq., Arbitrator & Mediator 07/06 - Present Medco Health Solutions, Inc. Senior Vice President - Labor Relations 07/95 - 06/06 Vice President - Employee Relations Counsel 06/91 - 07/95 Labor & Associate Counsel 05/87 - 06/91 Gibson, Dunn & Crutcher, Associate 04/85 - 05/87 Cahill, Gordon & Reindel, Associate 09/82 - 04/85

### Dispute Resolution Experience

An attorney for more than thirty-five years with extensive experience, first as an advocate and later as a full-time neutral, in labor and employment law and commercial disputes. As an arbitrator and mediator since 2006, have heard and/or mediated over a thousand cases involving a wide range of issues. In labor and employment law matters, issues addressed have included, among others: absenteeism; arbitrability; breach of contract; demotions; disability; discipline/discharge; discrimination/harassment/retaliation; employee benefit

buyouts/contribution rates/eligibility; ERISA; FLSA; health/safety; incentive compensation; independent contractor status; job classifications; job performance; leaves of absence; management rights; MPPAA; non-compete/restrictive covenants; overtime pay/distribution; past practice; pay rates; production standards; reductions-in-force; retirement benefit payouts; seniority; severance; sexual harassment; subcontracting; transfers/reassignments; reorganization; vacation; whistleblower; work assignments; work stoppages; and wrongful termination. In commercial matters, issues addressed have included, among others: breach of contract; breach of fiduciary duty; consumer fraud; derivative actions; corporate dissolution; foreclosure, professional malpractice; quantum meruit; subrogation of insurance claims; tortious interference with contract/economic advantage; trade secrets; and warranties.

Listed on the following rosters of arbitrators/mediators:  
American Arbitration Association (Arbitration - Labor, Employment and Employee Benefits/Pension; Mediation);  
Cornell University, Scheinman Institute on Conflict Resolution (Arbitration, Mediation & Fact-Finding);  
Equal Employment Opportunity Commission (Mediation);  
Federal Executive Board Shared Neutrals Program;  
Federal Mediation & Conciliation Service (Labor Arbitration);  
FINRA (Arbitration & Mediation);  
National Mediation Board (Arbitration);  
NJ Department of Education (Tenure Arbitration)  
NJ Public Employee Relations Commission (Labor Arbitration & Police/Fire Special Disciplinary Arbitration);  
NJ State Board of Mediation (Labor Arbitration)  
NJ Superior Court (Mediation);  
NYC Office of Collective Bargaining (Labor Arbitration);  
NY Public Employment Relations Board (Public & Private Arbitration and Mediation & Fact-Finding);  
NY Supreme Court, Commercial Division, Queens and Suffolk Counties (Mediation);  
and  
Nuclear Regulatory Commission (Mediation)  
United States District Court, E.D.N.Y. (Mediation)

Named as a panel arbitrator under a number of collective bargaining agreements, including:

NYC Department of Education/United Federation of Teachers, Local (3020-a Arbitration Panel-2009-2010, 2013-2017, 2018-2019);  
SEIU Local 32BJ/Realty Advisory Board on Labor Relations, Inc.;  
SEIU Local 32BJ/Allied Universal Security/ Securitas Security Services USA, Inc./Harvard Protection Services; and  
SEIU Local 32BJ/Ramac Corp.;

## Cornell University Dispute Resolution Training (Course titles and dates taken)

Cornell University, Scheinman Institute of Conflict Resolution - Advanced Certificate in Workplace Conflict Resolution

## Other Dispute Resolution Training

American Arbitration Association - Various Arbitrator Training Programs;  
Federal Executive Board Mediation Training;  
FINRA - Basic Arbitrator Training;  
FINRA - Basic Arbitrator & Chairperson Training  
Hofstra University School of Law - 24-Hour Basic Mediation Skills Training (Transformative Model) and Advanced Transformative Mediation Training Sessions);  
Labor Arbitration Salon of Richard Adelman and Carol Wittenberg  
NYC Bar Association - Advanced Commercial Mediation Training (20 Hours);  
NY State Bar Association, Labor & Employment Law Section, Arbitrator Mentoring Program;  
NY Supreme Court Commercial Division, Queens County - 24-Hour Basic Mediation Skills Training and 8-Hour Advanced Skills Training; and  
U.S. Nuclear Regulatory Commission Mediator Training

## Professional Associations

American Bar Association (ADR and Labor & Employment Law Sections, Committees: EEO, Employee Benefits, NLRA);  
New York State Bar Association (Dispute Resolution and Labor & Employment Law Sections);  
New Jersey Bar Association (Dispute Resolution and Labor & Employment Law Sections);  
National Academy of Arbitrators (Member)  
New Jersey Association of Professional Mediators;  
New York City Bar Association (Labor & Employment Law Section);  
Labor & Employment Relations Association (New York Chapter)  
Association for Conflict Resolution (Workplace, Ombuds, Commercial and Court Sections);  
New York State Dispute Resolution Association; and  
New York University School of Law Center for Labor & Employment Law (Advisory Board Member)

## Education

New York University School of Law, J.D., Cum Laude, 1982

Siena College, B.A., Summa Cum Laude, 1979

## References

Furnished upon request.

## Fee Policy

### FEE POLICY:

Labor Arbitration: \$1,800 per day for each day of hearing and study time.

Employment Arbitration & Mediation: \$400 per hour for all hearing and study time with 4-hour daily minimum for hearings.

Cancellation/Postponement Fee: \$1,800 per day, unless notice is received 21 days in advance of each scheduled day.

Travel expenses: Billed if applicable.



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